

(d) Disclaimer

Nothing in this section shall be construed to invalidate any law enforcement agreement or delegation made by the Secretary of the Interior or the Secretary of Commerce with respect to fish and wildlife matters prior to November 8, 1978.

(e) to (j) Omitted**(k) Law enforcement operations**

With respect to any undercover or other enforcement operation which is necessary for the detection and prosecution of violations of any laws administered by the United States Fish and Wildlife Service or the National Marine Fisheries Service relating to fish, wildlife, or plants, the Secretary of the Interior or the Secretary of Commerce may, notwithstanding any other provision of law—

(1) direct the advance of funds which may be deposited in commercial banks or other financial institutions;

(2) use appropriations for payment for information, rewards, or evidence concerning violations, without reference to any rewards to which such persons may otherwise be entitled by law, and any moneys subsequently recovered shall be reimbursed to the current appropriation; and

(3) use appropriations to establish or acquire proprietary corporations or business entities as part of an undercover operation, operate such corporations or business entities on a commercial basis, lease space and make other necessary expenditures, and use the proceeds from such undercover operations to offset necessary and reasonable expenses incurred in such operations: *Provided*, That at the conclusion of each such operation the proceeds shall be deposited in the Treasury of the United States as miscellaneous receipts.

(Pub. L. 95-616, § 3 (less (e)-(j)), Nov. 8, 1978, 92 Stat. 3110; Pub. L. 97-396, § 7, Dec. 31, 1982, 96 Stat. 2006.)

REFERENCES IN TEXT

The tort claim provisions of title 28, referred to in subsec. (b)(2), are the provisions of the Federal Tort Claims Act, which is classified generally to section 1346(b) and to chapter 171 (§2671 et seq.) of Title 28, Judiciary and Judicial Procedure.

This section, referred to in subsec. (d), means section 3 of Pub. L. 95-616, which in addition to enacting this section, enacted section 712 of this title and amended sections 460k-3, 668dd, 690e, 706, and 718f of this title and sections 1114 and 3112 of Title 18, Crimes and Criminal Procedure.

CODIFICATION

Section is comprised of subsecs. (a) to (d) and (k) of section 3 of Pub. L. 95-616, as amended. For classification of subsecs. (e) through (j) of section 3, see References in Text note above and Tables.

AMENDMENTS

1982—Subsec. (k). Pub. L. 97-396 added subsec. (k).

§ 742m. Relinquishment of exclusive legislative jurisdiction

Notwithstanding any other provision of law, the Secretary of the Interior, acting through the

Director of the United States Fish and Wildlife Service, may relinquish to a State, or to a Commonwealth, territory, or possession of the United States, the exclusive legislative jurisdiction of the United States over all or part of any United States Fish and Wildlife Service lands or interests therein, including but not limited to National Wildlife Refuge System and National Fish Hatchery System lands, in that State, Commonwealth, territory, or possession. Relinquishment of exclusive legislative jurisdiction under this subsection may be accomplished (1) by filing with the Governor (or, if none, the chief executive officer) of the State, Commonwealth, territory, or possession concerned, a notice of relinquishment to take effect upon acceptance thereof, or (2) as the laws of the State, Commonwealth, territory, or possession may otherwise provide.

(Pub. L. 100-653, title IX, §901, Nov. 14, 1988, 102 Stat. 3834.)

§ 743. Repealed. Pub. L. 93-280, § 1(2), May 10, 1974, 88 Stat. 123

Section, act Mar. 3, 1885, ch. 360, §1(1), 23 Stat. 494, renumbered by Pub. L. 93-280, §1(1), May 10, 1974, 88 Stat. 123, was part of a paragraph entitled: "Propagation of Food Fishes" in the Sundry Civil Expenses Appropriation Act, 1886. It authorized the Secretary of the Treasury to detail Coast Guard personnel to the Fish and Wildlife Services for duty. See section 743a of this title.

§ 743a. Detail of personnel and loan of equipment to Director of Bureau of Sport Fisheries and Wildlife**(a) "Agency" defined**

As used in this section, the term "agency" means the department in which the Coast Guard is operating, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Atomic Energy Commission, and the National Aeronautics and Space Administration.

(b) Personnel and equipment available

The chief executive officer of each agency may from time to time—

(i) detail from the agency for duty under the Director of the Bureau of Sport Fisheries and Wildlife, Department of the Interior, such commissioned and enlisted personnel and civilian employees as may be spared for such duty; and

(ii) consonant with the operational needs of the agency, loan equipment of the agency to the Director.

(c) Reports to Congress

The Director of the United States Fish and Wildlife Service shall make a report to Congress at the end of any fiscal year that the provisions of this section are utilized, which describes the use of the provisions of this section, and the additional cost, if any, to the Federal Government resulting therefrom. Such report shall be referred in the Senate to the Committee on Commerce, Science, and Transportation and in the House of Representatives to the Committee on Merchant Marine and Fisheries.

(Mar. 3, 1885, ch. 360, §1(2), as added May 10, 1974, Pub. L. 93-280, §1(3), 88 Stat. 123; amended Oct.